IN THE HIGH COURT OF BOMBAY AT GOA

FIRST APPEAL NO. 132 OF 2003

SHRI SAZU R.S.NADKARNI,SANGUEM-GOA. ....Appellant

Versus

SPECIAL LAND ACQUISITION OFFICER(SIP),MARGAO & ANR ....Respondent

Shri M.S. Sonak, Advocate for the Appellant.

Mrs. W. Coutinho, GA for the Respondents.

Coram:- S.K. SHAH, J.

Date:- 12th January, 2007

P.C.:

Heard learned Counsel on both sides.

It is submitted by the learned Counsel for the appellant that the connected First Appeal No.133/2003 has been disposed of by Order dated 6.10.2006 and the matter has been remanded for hearing afresh in the light of the ruling of the Apex Court in Civil Appeal No. 2558 of 1989 in the case of Sri Piedade Fernandes versus Union of India. The learned counsel for the Appellant requests for remanding this matter also on the same lines.

The learned counsel for the respondents has no objection.

The appeal is allowed and the impugned Award is set aside, with an order that the matter be remanded back to the lower Court for hearing afresh in the light of the said ruling of the Apex Court, after giving both the parties sufficient opportunity to put up their cases and the matter should be disposed of within a period of six months from the date of

receipt of the writ of this Court.

The First Appeal stands disposed of.

S.K. SHAH, J.

sl.